



May 24, 2023

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The Honorable Cathy McMorris Rodgers, Chair
The Honorable Frank Pallone, Ranking Member
Energy and Commerce Committee
2125 Rayburn House Office Building
Washington, D.C. 20515

Dear Chair McMorris Rodgers and Ranking Member Pallone:

I am the CEO and Executive Director of the Georgia Municipal Association, the nonprofit organization representing all 537 cities in Georgia. GMA has learned that tomorrow, Wednesday, May 24, the U.S. House Energy and Commerce Committee plans to mark up 19 bills, several of which pertain to broadband infrastructure permitting issues. I wanted to let you know that the Georgia Municipal Association stands **OPPOSED** to H.R. 3557, the American Broadband Deployment Act of 2023. We oppose the bill for the reasons listed below.

1. This measure represents a substantial federal overreach into a fundamentally local process: the oversight of the placement of wireless facilities on locally-managed public rights of way.
2. This bill creates unfunded mandates on local governments and inhibits their ability to be directly responsive to residents and good stewards of public resources.
3. When the Communications and Technology Subcommittee held its broadband permitting hearing in April 2023, despite considering multiple bills impacting state and local permitting processes, no state or local officials were invited to testify. GMA urges the committee **NOT** to move H.R. 3557 forward without the opportunity to receive sufficient input from state and local governments.
4. From 2017 – 2020, I was appointed by Chairman Ajit Pai to serve on the FCC's Broadband Deployment Advisory Council (BDAC), including serving as co-chair of the Model Code for Municipalities Working Group, as well as on a number of committees and subcommittees. During my tenure on this group, I was able to share a great deal of information with the FCC members and BDAC from my perspective as GMA's CEO as well as from my decades of experience as a city manager in Valdosta, Georgia. During each meeting, I described the challenges that local governments face in maintaining local rights of way; the need to preserve the integrity of our communities; and the need for local input into permitting process. Our committee recognized that one size does not fit all, and we created a model policy that gives fair compensation to local governments but also flexibility for the needs of industry. I have never heard a local official say they oppose bringing new technology to their residents and businesses, all they want is a reasonable opportunity to regulate the public right of way and protect the public's health, safety, and quality of life.
5. GMA and Georgia cities have excellent working relationships with providers in Georgia. We work very closely with the industry and none of the ISPs in Georgia have told us that local regulation is a barrier to expansion of broadband technology in Georgia.
6. GMA opposes any legislation or regulation that weakens the authority of Georgia's municipalities to regulate the use of their public rights-of-way, and which diminishes their authority to locally determine appropriate compensation for such use. GMA supports a balanced approach to telecommunications policy that allows innovative technologies to flourish while preserving traditional local regulatory authority.
7. Many states, including Georgia, have a gratuities clause in their state constitutions that requires fair compensation for their use of public rights of way.

I appreciate this opportunity to weigh in and welcome any chance to talk with you further about this legislation. GMA does not believe this measure will result in increased availability of broadband for Georgians. GMA remains opposed to H.R. 3557 and I will be glad to provide any additional information or answer questions.

Respectfully submitted,

A handwritten signature in black ink that reads "Larry H. Hanson".

Larry H. Hanson
CEO and Executive Director